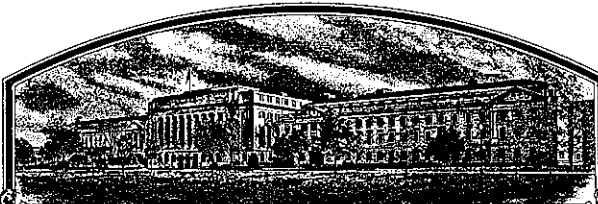


No.

8500197



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Nickerson American Plant Breeders, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS SEED OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT

'Victory'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D. C. this 29th day of April in the year of our Lord one thousand nine hundred and eighty-eight.

Attest:

Kenneth H. Ward
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Richard E. Lyng
Secretary of Agriculture

'Victory'

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

APPROVAL EXPIRES 4-30-85

FORM APPROVED: OMB NO. 0581-0065

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Nickerson American Plant Breeders Inc.		2. TEMPORARY DESIGNATION NAHW81-283 APHW81-283		3. VARIETY NAME Victory	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) 5201 Johnson Drive, P.O. Box 2955 Mission, KS 66201		5. PHONE (Include area code) (913) 384-4940 KS (303) 532-3721 CO		FOR OFFICIAL USE ONLY PVPO NUMBER 8500197	
6. GENUS AND SPECIES NAME Triticum aestivum		7. FAMILY NAME (Botanical) Gramineae		FILING DATE Aug. 12, 1985 TIME 2:00 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	
8. KIND NAME Hard Red Winter Wheat		9. DATE OF DETERMINATION 1) Fall of 1980 2) Fall of 1983		FEE RECEIVED AMOUNT FOR FILING \$ 1,800 DATE 8/12/85 AMOUNT FOR CERTIFICATE \$ 200.00 DATE March 17, 1988	
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation				11. IF INCORPORATED, GIVE STATE OF INCORPORATION Delaware	
12. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS R. E. Heiner P.O. Box 2955 Mission, KS 66201 (931) 384-4940				12. DATE OF INCORPORATION January 19, 1983	

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS R. F. Bruns or C. L. Bruns P.O. Box 30 Berthoud, CO 80513 (303) 532-3721		PHONE (Include area code):	
14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED a. <input checked="" type="checkbox"/> Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.) b. <input checked="" type="checkbox"/> Exhibit B, Novelty Statement. c. <input checked="" type="checkbox"/> Exhibit C, Objective Description of Variety (Request form from Plant Variety Protection Office.) d. <input checked="" type="checkbox"/> Exhibit D, Additional Description of Variety. e. <input checked="" type="checkbox"/> Exhibit E, Statement of the Basis of Applicant's Ownership. <input checked="" type="checkbox"/> f. Exhibit F, Quality and Statistical Data			
15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act.) <input checked="" type="checkbox"/> Yes (If "Yes," answer items 16 and 17 below) <input type="checkbox"/> No			

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> Foundation <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified	
--	--	---	--

18. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.? <input type="checkbox"/> Yes (If "Yes," give date) <input checked="" type="checkbox"/> No	
--	--

19. HAS THE VARIETY BEEN RELEASED, OFFERED FOR SALE, OR MARKETING IN THE U.S. OR OTHER COUNTRIES? <input type="checkbox"/> Yes (If "Yes," give names of countries and dates) <input checked="" type="checkbox"/> No	
--	--

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

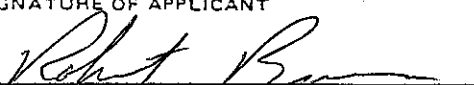

SIGNATURE OF APPLICANT 		DATE 7-29-85	
SIGNATURE OF APPLICANT 		DATE 7-31-85 1	

Exhibit A
Origin and Breeding History of Victory

PEDIGREE: Selection from bulked population of adapted parent crosses

DATE OF CROSS: 1975

HISTORY: The history of Victory started in 1975 with a traditional crossing block. F1 of the crosses were grown out in 1976. In 1977 each cross was evaluated as a F2 population. In order to carry a large genetic base forward in the program a large number of these crosses with adapted parents were bulked together and designated as general bulk. This bulk was grown at several locations in the Great Plains, harvested, and mass selected for seed filling using the gravity table. Individual F4 plants were selected in 1979. These selections were observed at three locations in 1980. The best of these selections were advanced into yield trials in 1981. One of these selections was designated HW81-283. In 1983, 100 head-rows were grown to make up the original Breeders seed. The name Victory was appointed in 1985.

Victory is uniform and stable. Less than 1% of the plants were rogued from the foundation fields in 1983. Approximately 90% of these rogued plants were 3 to 12 centimeters taller than Victory. Less than 1% of these taller plants may be encountered in subsequent generations.

Exhibit B

Novelty Statement

Victory is most similar to the hard red winter wheat Newton, however it can be easily distinguished by the following morphological characteristics:

- Victory has an oblique shoulder shape. Newton is registered as having square shoulders.
- Victory has a short glume length that varies significantly from Newton's (see Statistical Data).
- Victory has a medium glume width that varies significantly from Newton's (see Statistical Data).

A.N.O.V.A. Table for Glume Length

Victory Vs. Newton

<u>Source</u>	<u>df</u>	<u>ss</u>	<u>ms</u>
Total	49	16.66	
Var	1	6.92	6.92**
Error	48	9.74	.20

F Test = 34.6**

** The probability that the difference in means of glume length are significantly different at the 1% alpha level.

Means

Victory = 7.2mm

Newton = 8mm

8500197

A.N.O.V.A. Table for Glume Width

Victory Vs. Newton

<u>Source</u>	<u>df</u>	<u>ss</u>	<u>ms</u>
Total	49	7.44	
Var	1	4.64	4.621**
Error	48	2.82	.058

F Test = 79.7**

** The probability that the difference in means of glume width are significantly different at the 1% alpha level.

Means

Victory = 3.5mm
Newton = 2.8mm

5

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Wheat)

OBJECTIVE DESCRIPTION OF VARIETY
WHEAT (TRITICUM SPP.)

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S) Nickerson American Plant Breeders Inc.	FOR OFFICIAL USE ONLY PVPO NUMBER 8500197
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 5201 Johnson Drive, P.O. Box 2955 Mission, KS 66201	VARIETY NAME OR TEMPORARY DESIGNATION VICTORY

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g., 0 8 9 or 0 9) when number is either 99 or less or 9 or less.

1. KIND:

1 1 = COMMON 2 = DURUM 3 = EMMER 4 = SPELT 5 = POLISH 6 = POULARD 7 = CLUB

2. TYPE:

2 1 = SPRING 2 = WINTER 3 = OTHER (Specify) 2 1 = SOFT 3 = OTHER (Specify)
2 = HARD

2 1 = WHITE 2 = RED 3 = OTHER (Specify)

3. SEASON - NUMBER OF DAYS FROM planting TO:

2 3 0 FIRST FLOWERING 2 3 6 LAST FLOWERING

4. MATURITY (50% Flowering):

0 3 NO. OF DAYS EARLIER THAN 2 1 = ARTHUR 2 = SCOUT 3 = CHRIS
- - NO. OF DAYS LATER THAN - 4 = LEMHI 5 = NUGAINES 6 = LEEDS

5. PLANT HEIGHT (From soil level to top of head):

0 9 0 CM. HIGH
- - CM. TALLER THAN -
1 5 CM. SHORTER THAN 2 1 = ARTHUR 2 = SCOUT 3 = CHRIS
4 = LEMHI 5 = NUGAINES 6 = LEEDS

6. PLANT COLOR AT BOOTING (See reverse):

2 1 = YELLOW GREEN 2 = GREEN 3 = BLUE GREEN

7. ANTER COLOR:

1 1 = YELLOW 2 = PURPLE

8. STEM:

1 Anthocyanin: 1 = ABSENT 2 = PRESENT 2 Waxy bloom: 1 = ABSENT 2 = PRESENT
2 Hairiness of last internode of rachis: 1 = ABSENT 2 = PRESENT 1 Internodes: 1 = HOLLOW 2 = SOLID
0 5 NO. OF NODES (Originating from node above ground) 2 3 CM. INTERNODE LENGTH BETWEEN FLAG LEAF AND LEAF BELOW

9. AURICLES:

2 Anthocyanin: 1 = ABSENT 2 = PRESENT 1 Hairiness: 1 = ABSENT 2 = PRESENT

10. LEAF:

1 Flag leaf at booting stage: 1 = ERECT 2 = RECURVED 2 Flag leaf: 1 = NOT TWISTED 2 = TWISTED
3 = OTHER (Specify): 2 Waxy bloom of flag leaf sheath: 1 = ABSENT 2 = PRESENT
1 Hairs of first leaf sheath: 1 = ABSENT 2 = PRESENT
1 4 MM. LEAF WIDTH (First leaf below flag leaf) 2 6 CM. LEAF LENGTH (First leaf below flag leaf)

11. HEAD:

☐ 3 Density: 1 = LAX 2 = DENSE 3 = middense
average 45 mm

☐ 1 Shape: 1 = TAPERING 2 = STRAP 3 = CLAVATE
4 = OTHER (Specify) _____

☐ 4 Awedness: 1 = AWNLESS 2 = APICALLY AWNLETED 3 = AWNLETED 4 = AWNED

☐ 1 Color at maturity: 1 = WHITE 2 = YELLOW 3 = PINK 4 = RED
5 = BROWN 6 = BLACK 7 = OTHER (Specify): _____

☐ 6 ☐ 7 CM. LENGTH

☐ 1 ☐ 0 MM. WIDTH

12. GLUMES AT MATURITY:

☐ 1 Length: 1 = SHORT (CA. 7 mm.) 2 = MEDIUM (CA. 8 mm.)
3 = LONG (CA. 9 mm.) average 7.3 mm

☐ 2 Width: 1 = NARROW (CA. 3 mm.) 2 = MEDIUM (CA. 3.5 mm.)
3 = WIDE (CA. 4 mm.) average 3.4 mm

☐ 2 Shoulder shape: 1 = WANTING 2 = OBLIQUE 3 = ROUNDED
4 = SQUARE 5 = ELEVATED 6 = APICULATE

☐ 3 Beak: 1 = OBTUSE 2 = ACUTE 3 = ACUMINATE
average 3.7 mm

13. COLEOPTILE COLOR:

☐ 1 1 = WHITE 2 = RED 3 = PURPLE

14. SEEDLING ANTHOCYANIN:

☐ 2 1 = ABSENT 2 = PRESENT

15. JUVENILE PLANT GROWTH HABIT:

☐ 2 1 = PROSTRATE 2 = SEMI-ERECT 3 = ERECT

16. SEED:

☐ -3 Shape: 1 = OVATE 2 = OVAL 3 = ELLIPTICAL

☐ 1 Cheek: 1 = ROUNDED 2 = ANGULAR

☐ 2 Brush: 1 = SHORT 2 = midlong 3 = LONG

☐ 1 Brush: 1 = NOT COLLARED 2 = COLLARED

☐ - Phenol reaction 1 = IVORY 2 = FAWN 3 = LT. BROWN
(See instructions): 4 = BROWN 5 = BLACK

☐ 3 Color: 1 = WHITE 2 = AMBER 3 = RED 4 = PURPLE 5 = OTHER (Specify) _____

☐ 6 ☐ 3 MM. LENGTH

☐ 3 ☐ 3 MM. WIDTH

☐ 4 ☐ 3 GM. PER 1000 SEEDS

17. SEED CREASE:

☐ 1 Width: 1 = 60% OR LESS OF KERNEL 'WINOKA'
2 = 80% OR LESS OF KERNEL 'CHRIS'
3 = NEARLY AS WIDE AS KERNEL 'LEMHI'

☐ 1 Depth: 1 = 20% OR LESS OF KERNEL 'SCOUT'
2 = 35% OR LESS OF KERNEL 'CHRIS'
3 = 50% OR LESS OF KERNEL 'LEMHI'

18. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant) 3 = Moderately Susceptible 4 = Moderately Resistant

☐ 4 STEM RUST field

☐ 2 LEAF RUST field

☐ 0 STRIPE RUST

☐ 0 LOOSE SMUT

☐ 3 POWDERY MILDEW

☐ 0 BUNT

☐ 0 OTHER (Specify) _____

19. INSECT: (0 = Not Tested, 1 = Susceptible, 2 = Resistant) 3 = Moderately Susceptible 4 = Moderately Resistant

☐ 0 SAWFLY

☐ 0 APHID (Bydv.)

☐ 0 GREEN BUG

☐ 0 CEREAL LEAF BEETLE

☐ 0 OTHER (Specify) _____

HESSIAN FLY
RACES:

☐ 1 GP

☐ 0 A

☐ 0 B

☐ 0 C

☐ 0 D

☐ 0 E

☐ 0 F

☐ 0 G

20. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering	Newton	Seed size	Newton
Leaf size	Newton	Seed shape	Newton
Leaf color	Newton	Coleoptile elongation	Newton
Leaf carriage	Newton	Seedling pigmentation	Newton

INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for the standardization of terms and procedures for completing this form:

(a) L. T. Briggie and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, United States Department of Agriculture.

(b) W. E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts. (See attachment.)

LEAF COLOR: Nickerson's or any recognized color fan should be used to determine the leaf color of the described variety.

Exhibit D

Additional Description of Victory

Victory is a hard red winter wheat tested as NAHW81-283 or APHW81-283. It was bred and developed by Nickerson American Plant Breeders Inc.

Victory is an intermediate height semidwarf variety with very strong straw strength characteristics, medium to early maturity and good winterhardiness. Milling and baking properties are good.

Victory has a juvenile plant growth habit that is semi-erect. Plant color is green with an erect, twisted flag leaf. Head shape is tapering to strap, middense, awned and head color is white at maturity. Glumes are short in length and of medium width with oblique shoulders and acuminate beaks. Seed shape is ovate to elliptical with midlong brush hairs and rounded cheeks. Seed crease is narrow in width and shallow in depth.

Victory is well adapted to the central Great Plains. Its yield performance since 1981 puts it in a class above the current varieties available to the farmers of southern Nebraska, northern Texas and Oklahoma, eastern Colorado and the entire state of Kansas.

Along with these high yields go a desirable agronomic package of winterhardiness, early maturity, standability, and an excellent combination of foliar and soil borne disease protection. These characteristics make it an excellent variety for irrigated conditions and most dryland situations provided there is enough moisture for stand establishment.

Nickerson American Plant Breeders Inc.

YEAR: 1984

HARD RED WINTER WHEAT QUALITY

PAGE 1

YEAR	SAMPLE NAME	LOC	WHEAT--FLOUR QUALITY										BAKING QUALITY										MILL SCORE	BAKE SCORE	TOTAL SCORE
			TEST WT.	WHT PROT	FLR YLD	FLR PROT	FLR 14%mb	FLR 14%mb	MIX ASH	MIX CURVE	ABS. %	MIX TIME min	DOUGH R	LOAF cc	GRN	TEX	COL	CRUMB	R	R	R				
82	Victory	LK	59.6	13.1	74.3	11.9	0.000	7	63.0	2.5	9	800	8	8	8	8	87-B	83-B	170-B						
83	Victory	LK	58.9	13.5	70.1	12.6	0.345	7	62.0	3.0	8	920	8	8	8	8	85-B	85-B	170-B						
83	Victory	SK	60.6	13.0	69.0	11.1	0.314	6	60.0	3.0	8	860	8	8	8	8	79-C	80-B	153-C						
83	Victory	SN	59.7	12.9	66.9	11.4	0.396	6	61.0	2.5	8	860	8	8	8	8	71-C	78-C	149-C						
83	Victory	BB	50.1	13.1	63.8	11.3	0.363	7	61.0	4.0	8	900	8	8	8	8	63-D	84-B	147-C						
84	Victory	SO	55.1	12.0	71.6	10.7	0.367	7	62.0	4.0	8	990	8	8	8	8	72-C	87-B	159-C						
84	Victory	SO	53.1	12.4	72.0	11.3	0.399	5	60.0	3.3	8	980	8	8	8	8	66-D	82-B	148-C						
84	Victory	GI	58.3	14.0	73.0	12.2	0.431	6	64.0	2.8	7	875	6	7	8	8	84-B	78-C	162-B						
84	Victory	BB	59.3	12.6	71.2	11.3	0.000	5	63.0	2.3	8	900	7	8	8	8	76-C	80-B	156-C						
	AVERAGE		57.2	13.0	70.2	11.5	0.374	6	62.0	3.0	8	898	8	8	8	8	77-C	82-B	159-C						
82	NEWTON	LK	52.1	12.4	69.7	11.6	0.000	6	62.0	4.5	9	850	8	8	8	8	65-D	84-B	149-C						
83	NEWTON	LK	58.5	12.8	62.9	11.7	0.424	7	61.0	4.3	7	1000	8	8	8	8	78-C	88-B	166-B						
83	NEWTON	SK	58.2	11.9	69.0	10.0	0.424	5	60.0	4.3	8	875	8	8	8	8	67-D	80-B	147-C						
83	NEWTON	SN	59.4	14.3	68.9	13.1	0.434	7	63.0	3.0	7	1000	8	8	8	8	82-B	89-B	171-B						
83	NEWTON	BB	48.5	12.4	60.3	11.0	0.448	7	62.0	4.5	7	1000	8	8	8	8	60-D	88-B	148-C						
84	NEWTON	SO	56.7	11.9	68.1	10.4	0.375	6	62.0	4.5	7	960	8	8	8	8	62-D	86-B	148-C						
84	NEWTON	SO	55.4	12.0	69.6	10.8	0.399	4	59.0	4.8	8	920	8	8	8	8	60-D	78-C	138-D						
84	NEWTON	GI	57.5	14.0	70.3	11.5	0.439	6	63.0	3.5	8	925	8	8	8	8	77-C	89-B	166-B						
84	NEWTON	BB	61.3	12.5	71.7	11.2	0.000	7	66.0	2.5	7	960	8	8	8	8	83-B	86-B	169-B						
	AVERAGE		56.3	12.7	68.6	11.3	0.420	6	62.2	4.0	8	943	8	8	8	8	69-D	94-B	153-C						

GRADES: A-EXCELLENT 9-10=EXCELLENT B-GOOD 8=GOOD C-ACCEPTABLE 7=ACCEPTABLE D-QUESTIONABLE 5-6=QUESTIONABLE F-UNACCEPTABLE 1-4=UNACCEPTABLE

WHEAT

CLASS: Hard Red Winter

NAME: Victory

NOMENCLATURE: Triticum aestivum

P.I. NO.:

RELEASED: 1986

REGISTRATION NO.:

SELECTION NO.: NAHW81-283 or APHW81-283

PEDIGREE: A selection from a bulk population derived from crosses of adapted parents in 1975

CULTIVAR DESCRIPTION: Victory is an intermediate height semidwarf variety with very strong straw strength characteristics, medium to early maturity and good winterhardiness. Milling and baking properties are good. Victory has a juvenile plant growth habit that is semi-erect. Plant color is green with an erect, twisted flag leaf. Head shape is tapering to strap, middense, awned and head color is white at maturity. Glumes are short in length and of medium width with oblique shoulders and acuminate beaks. Seed shape is ovate to elliptical with midlong brush hairs and rounded cheeks. Seed crease is narrow in width and shallow in depth.

ADAPTATION AND CHARACTERISTICS: Victory is well adapted to the central Great Plains. Its yield performance since 1981 puts it in a class above the current varieties available to the farmers of southern Nebraska, northern Texas and Oklahoma, eastern Colorado and the entire state of Kansas. Along with these high yields go a desirable agronomic package of winterhardiness, early maturity, standability, and an excellent combination of foliar and soil borne disease protection. These characteristics make it an excellent variety for irrigated conditions and most dryland situations provided there is enough moisture for stand establishment.

GENERAL INFORMATION: Victory is most similar in appearance to the HRWW variety Newton. The noticeable field differences are Victory has a much shorter glume length than Newton. Victory also has an oblique should shape while Newton's is classified as square.

OTHER SOURCES OF INFORMATION: Nickerson American Plant Breeders Inc.
5201 Johnson Drive
Mission, KS 66201

EXHIBIT E.

Statement of the Basis of Applicant's Ownership

Nickerson American Plant Breeders Inc. is the applicant for protection in this case being:

- a) the incorporated business (registered in Delaware) for and within which regular employees have bred the named variety.
- b) the proprietary owner and intending commercial user of the variety.